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PATENT

Attorney Docket No.: 056222-5059-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Stephen WATKINS et al.

Confirmation No.: 5717

Application No.: 10/505,143

Group Art Unit: 1751

Filed: August 20, 2004

Examiner: Elhilo, E.B..

For: USE OF CERAMIDES AND SIMILAR COMPOUNDS IN HAIR CARE
COMPOSITIONS

Commissioner of Patents and Trademarks
U.S. Patent and Trademark Office
Customer Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

**REQUEST FOR CONTINUED
EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the
above-identified application.

I. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted:
- i. ☐ Please enter and consider the Amendment and Response
previously filed on _____.
- ii. ☐ Please consider the arguments in the Appeal Brief or Reply Brief
previously filed on _____.
- b. ☒ Enclosed:
- i. ☒ Amendment
- ii. ☐ Information Disclosure Statement and PTO-1449
- iii. ☐ Statement Accompanying Substitute Sequence Listing; Sequence
Listing and diskette
- iv. ☐ Revocation of Prior Power of Attorney and Appointment of New
Attorney by Assignee

01 FC:1801 790.00 DA

07/13/2007 SZEWDIE1 00000047 500310 10505143

02 FC:1251 120.00 DA

c. Extension of Time

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>Fee for Small Entity</u> |
|---|--------------------------|-----------------------------|
| <input checked="" type="checkbox"/> one month | \$ 120.00 | \$ 60.00 |
| <input type="checkbox"/> two months | \$ 450.00 | \$ 225.00 |
| <input type="checkbox"/> three months | \$ 1,020.00 | \$ 510.00 |
| <input type="checkbox"/> four months | \$ 1,590.00 | \$ 795.00 |
| <input type="checkbox"/> five months | \$ 2,160.00 | \$1,080.00 |

- ☒ The extension of time fee for this request: **\$120.00.**
- ☐ An extension for 1 month has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

If an additional extension of time is required, please consider this a Petition therefor.

4. Fee Payment

- ☒ The Director is hereby authorized to charge the Deposit Account No. 50-0310 in the total amount of **\$910.00** (\$790.00 filing fee and \$120.00 extension fee).

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other _____.

3. Fees Calculation

- a. RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ **\$790.00**
- ☐ \$395.00 (for small entity)

- b. Additional Claims

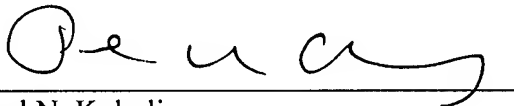
| CLAIMS AS AMENDED | | | | | | |
|---|---|-------|--------------------------------|------------------|----------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 6 | minus | 20 | 3 | x \$50 each = | + \$0 |
| Independent Claims (37 C.F.R. §1.16(b)) | 2 | minus | 3 | | x \$200 each = | + \$0 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$360.00 | + \$0 |
| SUB-TOTAL = | | | | | | \$ |
| Reduction by ½ for filing by a small entity | | | | | | - \$ |
| TOTAL FEE = | | | | | | \$0 |

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

By:


Paul N. Kokulis
Reg. No. 16,773

Dated: July 12, 2007

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